

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY LOU DOHERTY, JAMES  
DOHERTY, and JOHN DOHERTY,

*Plaintiffs,*

v.

ALLSTATE INDEMNITY COMPANY,

*Defendant.*

CIVIL ACTION  
NO. 15-05165

**PAPPERT, J.**

**SEPTEMBER 27, 2016**

**ORDER**

**AND NOW**, this 27th day of September, 2016, it is **ORDERED** that Allstate's motion to dismiss Count III of the amended complaint (ECF No. 67) is **GRANTED**.

Plaintiffs are given leave to amend Count III to state a claim under the UTPCPL based on Allstate's alleged misconduct in the solicitation or sale of the insurance policy. If Plaintiffs fail to amend Count III by October 11, 2016, it will be dismissed with prejudice.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.